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ELECTRONICALLY FILED
DOC #:
DATE FILED:

5/18/12

COURT MATTER/
MOST IMMEDIATE

29th March, 2012

To
Clerk of the Court
US District Court
Southern District of New York
New York (USA)

Dear Madam/Sir,

Subject: Civil Suit (OS) No. 610/2012 – UOI & Ors. Vs.
Shanti Gurung & Ors. in the Hon'ble High
Court of Delhi 10 CV 5086

This is to bring to your kind attention that in an action brought on behalf of the Union of India and others in the Hon'ble High Court of Delhi, the Hon'ble High Court has passed an order on March 14, 2012. A copy of the said order is enclosed for ready reference.

As is evident from the said order, the Hon'ble Court has restrained Ms. Shanti Gurung, her solicitors and the NGO named therein, from taking any steps or pursuing the complaint being No. 10-CIV 5086 or claim or rely upon the order passed or to be passed by the Hon'ble District Court in New York or seek enforcement thereof in any manner.

In view of the fact that Ms. Shanti Gurung is an Indian citizen and her passport has been revoked and the allegations made are false to her own knowledge as well as to her Solicitors and NGO and fraud has been played on this Hon'ble Court, the proceedings besides being malafide, vexatious and oppressive, the Hon'ble High Court of Delhi, in consideration of the matter, has been pleased to pass the above mentioned interim order.

This is also to bring to your kind notice that in the event of any application filed or any action brought by Ms. Shanti Gurung jointly or severally with others, would be in gross violation and willful contempt of the orders passed by the Hon'ble High Court of Delhi and would impede the purity of justice.

It is apparent from the records of whatsoever is available at our end that it is a clear case, where a fraud has been perpetuated on the United States of America District Courts, South District of New York in No.10-CIV 5086(VM) and the Hon'ble Judge and the Hon'ble Magistrate who has presided over the proceedings. Just to give you an example, while in the complaint it was stated that Ms. Shanti Gurung was trafficked from India to United States of America, she in her own Affidavit subsequently accepts the fact that she along with her sister Asha Gurung had met Plaintiff No. 2 – Dr. Neena Malhotra in question and consequently she was employed as a service staff.

From 2006-09 when she was continuing with Dr. Neena Malhotra, there is not even a whisper by her either in New Delhi or in United States about her allegations. Equally important is that after departure of Dr. Neena Malhotra in July 2009, the first time a complaint is made after an year in July, 2010, itself shows that fraud is being played by Ms. Shanti Gurung with her solicitors, etc. with some ulterior motive.

There are various other glaring examples where there is a clear case of suppression of facts and statements which have been made by Ms. Shanti Gurung, her solicitors and the members of the Non-Government Organizations, the veracity whereof is seriously in dispute. It has brought the purity of the legal profession and the law and justice delivery system to disrepute. It is a clear case where the Hon'ble Judge must re-examine

the matter for fraud of the Court vitiates everything and re-examination of the entire issue has become imperative.

This, of course, is without prejudice to the fact that United States Court has no jurisdiction in the matter and the very fact that she continues to be in United States despite her Passport being revoked. It is a question which must be considered before entertaining such a complaint by any Court.

Therefore, you are requested kindly to bring these facts to the kind attention of the Hon'ble Judge and all other concerned, so that suo moto requisite measures are initiated.

Thank you,

Yours sincerely,

Sapna Chauhan
(Sapna Chauhan)
Counsel for the Plaintiffs

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by <u>defendant's</u> .	
SO ORDERED.	
5-18-12 DATE	 VICTOR MARRERO, U.S.D.J.

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